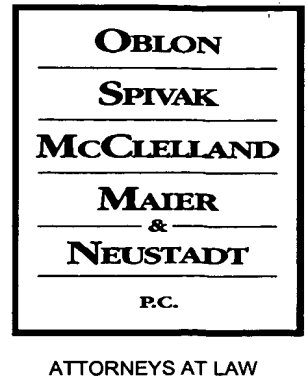




Docket No.: 214457US6PCT

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313



RE: Application Serial No.: 09/926,235  
Applicants: Xavier LEBOUCHER  
Filing Date: June 3, 2002  
For: POUCH AND PACKAGING AND DISTRIBUTION  
UNIT  
Group Art Unit: 3754  
Examiner: CARTAGENA, M.

SIR:

Attached hereto for filing are the following papers:

**PETITION UNDER 37 C.F.R. § 1.181**  
**COPY OF DATE-STAMPED FILING RECEIPT OF JANUARY 18, 2002**  
**COPY OF INFORMATION DISCLOSURE STATEMENT FILED JANUARY 18, 2002**  
**COPY OF PTO-FORM 1449 FILED JANUARY 18, 2002**

Our credit card payment form in the amount of -\$0.00- is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

Gregory J. Maier

Registration No. 25,599

Customer Number

**22850**

(703) 413-3000 (phone)

(703) 413-2220 (fax)

I:\ATTY\PH\21S\214457\SHORT COVER 10112004.DOC

Philip J. Hoffmann

Registration No. 46,340



DOCKET NO: 214457US6PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
XAVIER LEBOUCHER : EXAMINER: CARTAGENA, M.  
SERIAL NO: 09/926,235 :  
FILED: JUNE 3, 2002 : GROUP ART UNIT: 3754  
FOR: POUCH AND PACKAGING AND :  
DISTRIBUTION UNIT

PETITION UNDER 37 C.F.R. § 1.181

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

This is a petition pursuant to 37 C.F.R. § 1.181(a)(3) requesting that the Examiner be instructed by the Commissioner or his representative to notify Applicants of proper consideration of each of the references included with the Information Disclosure Statement filing (IDS) filed on January 18, 2002.

STATEMENT OF FACTS

On January 18, 2002, Applicants filed the above-noted IDS under 37 C.F.R. §§ 1.97 and 1.98, as evidenced by the enclosed date-stamped filing receipt and copies of the IDS papers, including the List of References Cited by Applicant. The U.S. Patent and Trademark Office has not responded to this IDS filing by supplying Applicants with a copy of the List of References, which has been properly initialed by the Examiner to indicate consideration of each of the references. Rather, the copy of the List of References included with the Office Action mailed on May 7, 2003, does not evidence consideration of item "AW."

ACTION REQUESTED

In light of the above, it is respectfully requested that the Examiner be directed to provide Applicants with a copy of the List of References filed on January 18, 2002, properly initialed and executed by the Examiner in correspondence with the rules.

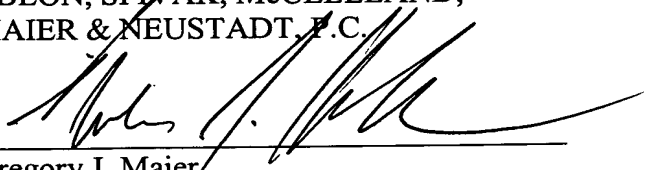
Customer Number

22850

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
(OSMMN 06/04)

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

  
\_\_\_\_\_  
Gregory J. Maier  
Registration No. 25,599  
Attorney of Record

Philip J. Hoffmann  
Registration No. 46,340

GJM/PH/me

I:\ATTY\PH\21S\214457\181 PETITION 09092004.DOC



BEST AVAILABLE COPY

OSMM&N File No. 214457US6PCT

Dept.: PP

By: GJM/ln

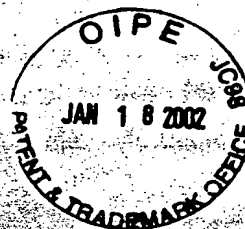
Serial No. 09/926,235

In the matter of the Application of: Xavier LEBOUCHER

For: POUCH AND PACKAGE AND DISTRIBUTION UNIT

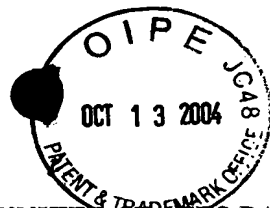
The following has been received in the U.S. Patent Office on the date stamped hereon:

- ☐ pp. Specification & Claims/Drawings Sheets
- ☐ Combined Declaration, Petition & Power of Attorney pages
- ☐ List of Inventor Names and Addresses
- ☐ Utility Patent Application ☐ CPA
- ☐ Notice of Priority ☐ Priority Doc
- ☐ Check for ☒ Dep. Acct. Order Form
- ☐ Fee Transmittal Form
- ☐ Assignment/PTO-1595 pages:
- ☐ Letter to Official Draftsman
- ☐ Letter Requesting Approval of Drawing Changes
- ☐ Drawings sheets ☐ Formal
- ☐ Letter
- ☐ Amendment
- ☒ Information Disclosure Statement ☒ PTO-1449  
**FILED WITHOUT OFR**
- ☐ Cited References ( )
- ☒ INTERNATIONAL Search Report
- ☐ Statement of Relevancy
- ☐ English Abstracts, Concise Explanation, English Translation, Partial English Translation ( )
- ☐ IDS/Related/List of Related Cases ☐ Cited Pending Applications ( )
- ☐ Restriction Response ☐ Election Response
- ☐ Rule 132 Declaration
- ☐ Petition for Extension of Time



COPY

Due Date: 01/18/2002



Docket No. 214457US6PCT/In

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Xavier LEBOUCHER

SERIAL NO: 09/926,235

GAU:

FILED: September 28, 2001

EXAMINER:

FOR: POUCH AND PACKAGE AND DISTRIBUTION UNIT

**INFORMATION DISCLOSURE/RELATED CASE STATEMENT UNDER 37 CFR 1.97**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Applicant(s) wish to disclose the following information.

**REFERENCES**

- ☒ The applicant(s) wish to make of record the references cited in the attached International Search Report listed on the attached form PTO-1449. Copies of the listed references were provided in the International application.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

**RELATED CASES**

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- ☐ A check is attached in the amount required under 37 CFR §1.17(p).

**CERTIFICATION**

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

**DEPOSIT ACCOUNT**

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.

\_\_\_\_\_  
Gregory J. Maier  
Registration No.

25,599

**COPY**



**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 10/98)

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 214457US6PCT		SERIAL NO. 09/926,235	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Xavier LEBOUCHER			
				FILING DATE September 28, 2001		GROUP	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO	2 669 306	05/22/92	FRANCE			
	AP	0 622 311	11/02/94	EUROPE			
	AQ	2 641 337	07/06/90	FRANCE			
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW	Patent Abstracts of Japan, JP 07-112754, May 2, 1995					
	AX						
	AY						
	AZ						
Examiner					Date Considered		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

COPY